IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 17485 of 2004

Between:

Achi Ramanujacharyulu, Sthanacharya, Sri Yogananda Lakshmi Narasimha Swamy Temple,
Vedadri, Jaggayyapet Mandal, Krishna District.

..... PETITIONER

AND

1 Commissioner of Endowments, Endowment Department,
Tilak Road, Hyderabad.
2 Joint Commissioner of Endowments, Endowment Department,
Tilak Road, Hyderabad.
3 Sri Yogananda Lakshmi Narasimha Swamy Temple, Vedadri, Rep. by Executive officer, Vedadri, Jaggayapet Mandal, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus declaring that the inaction/ omission on the part of the Respondents in implementing the G.O.Ms.No.261 dt. 20-05-2002 and Circular No.C1/34175/2002 dt. 17-07-2002 is arbitrary, illegal, capricious and opposed to public policy and consequently direct the respondents to implement the G.O.Ms.No.261 dt. 20-5-2002 and Circular No.C1/34175/2002 dt. 17-07-2002 and pay salary to the Petitioner as per the G.O. together with the entire arrears and all other perquisites forthwith

Counsel for the Petitioner: SMT.V.DYUMANI

Counsel for the Respondents 1 and 2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: Smt.P.Indrani

The Court at the admission stage, made the following:

ORAL ORDER:

The petitioner has filed this writ petition seeking a Mandamus to declare the action of the respondents in not implementing the G.O.Ms.No.261, dated 20.5.2002 and Circular No.C1/34175/2002, dated 17.7.2002 as arbitrary and illegal.

The case of the petitioner is that after the death of his father, he was appointed as Sri Sthanacharya in the 3rd respondent-Temple. The 1st respondent issued Circular No.C1/34175/2002, dated 17.7.2002 giving instructions to the 2nd and 3rd respondents and the Executive Authorities working under 6(a) and 6(b) Temples in the State and requested them to implement the orders issued in G.O.Ms.No.261 and take immediate steps for payment of salaries to the Archakas and other religious office holders in their respective temples. But, so far, the 2nd and 3rd respondents have not taken any steps to implement the said Government Order. Hence, this writ petition has been filed.

The learned counsel for the petitioner has contended that even though the petitioner is entitled to the payment of salaries in terms of G.O.Ms.No.261, no action has been taken by the 3rd respondent so far. Hence, he prays to give a direction to the 3rd respondent to pass appropriate orders on the representation, dated 27.1.2004 made by

the petitioner.

The petitioner made a representation to the 1st respondent but there has been no response so far. According to the learned counsel for the petitioner, the 2nd respondent has to take appropriate decision in implementing the pay scales in pursuance of G.O.Ms.No.261 and consequential direction has to be given to the 3rd respondent for implementation.

Whether the G.O.Ms.No.261 is applicable to the petitioner, whether he is entitled to the payment of salaries, whether he is a religious office holder of the 3rd respondent-Temple or not have to be decided by the 1st respondent in accordance with the rules.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the 2nd and 3rd respondents to consider the case of the petitioner in terms of G.O.Ms.No.261, dated 20.5.2002 and Circular No.C/34175/2002, dated 17.7.2002 and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order.

With the above direction, the writ petition disposed of. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

20th December, 2004

bcj

To

1 The Commissioner of Endowments, Endowment Department,
Tilak Road, Hyderabad.
2 The Joint Commissioner of Endowments, Endowment Department,
Tilak Road, Hyderabad.
3 The Executive Officer, Sri Yogananda Lakshmi Narasimha Swamy Temple,
Vedadri, Vedadri, Jaggayapet Mandal, Krishna District.

4 Two C.Cs. to the Government Pleader for Endowments, High Court Buildings, Hyderabad (OUT)

5 Two C.D. copies